

REMARKS/ARGUMENTS

Claims 1, 3-17 and 19-42 were pending in this application. No claims have been amended, added, or canceled. Hence, claims 1, 3-17 and 19-42 remain pending.

Reconsideration of the subject application as amended is respectfully requested.

Claims 1, 3-17, 19-33, 37-38 and 42 stand rejected under 35 U.S.C. § 102(e) as being anticipated by the cited portions of U.S. Patent No. 6,618,594 to Myers, *et al.* (hereinafter "Myers").

Claims 34 and 39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Myers, in view of the cited portions of U.S. Patent No. 6,577,857 to Rodrigues, *et al.* (hereinafter "Rodrigues").

Claims 35-36 and 40-41 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Myers in view of the cited portions of U.S. Patent No. 6,212,377 to Dufour, *et al.* (hereinafter "Dufour").

Claim Rejections Under 35 U.S.C. § 102(e)

Applicants submit herewith Declarations of Prior Invention under 37 CFR §1.131 for inventors Gillespie, Benson and Matthew Jacobs, acting Representative of Karen Siegel-Jacobs, together with a petition under 37 CFR § 1.47 to accept the petitions of Gillespie, Benson and Jacobs on behalf of themselves and on behalf of inventors Nabkel and Youngs who cannot be reached after diligent effort. The Declarations establish prior invention over the Myer reference of the subject matter of all pending claims. By virtue of the declarations, the Applicants submit that the Myers reference does not qualify as a reference under 35 U.S.C. §102(e). Consequently, Myers also does not qualify as a reference for use under 35 U.S.C. §103(a).

Appl. No. 09/444,359
Amdt. dated November 21, 2005
Amendment under 37 CFR 1.116 Expedited Procedure
Examining Group 2684

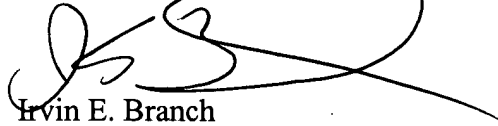
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CONCLUSION

In view of the foregoing, the Applicants believe all claims now pending in this Application are in condition for allowance and an action to that end is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 303-571-4000.

Respectfully submitted,



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